

RM-10868

The Radio Amateur Foundation (RAF) may be a newcomer to the amateur radio legislative process, but I highly commend them on their approach to serious current issues, especially the Technician License revision, maintaining the General and Extra classes as is, and doing much needed improvement of the whole testing procedure. I would generally support this petition, with the full exception of their Subpart IV, which is discussed at the end of my comments.

I appreciate the clarity of the wording in the introductory sections regarding the fact that the FCC is not bound to follow the relatively few countries that have so far eliminated Morse and should follow only what is best for the United States. This certainly points out that there is no great rush in this area.

Given the dissention found in today's situation, their perspective (pages 7 through 12) on the Technician license make the most sense of anything offered to date. In paragraph 10, sentences 3 and 4, I feel that this is a matter that has long been overlooked and should be rectified as soon as possible.

It has always been incumbent upon a newbie in any endeavor: Driving, Flying or Ham Radio as examples, to personally see if that field will provide the desired outcome(s) with respect to the conditions involved. Or, how much effort am I required to put forth to be able to do what I want within the applicable laws; then I can set my own goals.

I am in full agreement with pages 12-25 maintaining the General and Extra classes as currently mandated. Outside requirements should have no bearing on amateur radio, and this point is well stated. As a retired electronics professor, I was happy to see the wording in the last sentences of paragraph 18. Also, paragraph 20 deals with the commercial interests and I would refer the reader to the editor's remarks on this subject in the April issue of CQ.

In paragraphs 22 through 26, I concur. In fact, the latter paragraph strikes the truth of this entire restructuring scenario.

Regarding the new proposal for 10 Meter wideband digital, this would seem to be a great idea. There is very little activity in this segment, even when the sunspots favor us. So, here is an idea to utilize this part of the band and perhaps build another wide-ranging digital system.

Subsection VII deals with a personally very troublesome area that has long been bypassed by many, who seemingly favor quantity over quality (we need the numbers, no matter what...). I wholeheartedly favor the suggestions and applaud the research and depth of discussion that went into this subject.

Those of us who are more seasoned, can remember the “Bash Books”, the predecessor to the question pools of today. Was this the start of “dumbing down” that we hear so much of today? We are, by the FCC’s definition, a technical service. So that we remain in consonance with Part 97.1, perhaps resolving the issues of Rules and RF exposure, as obliquely brought up in RM-10870 by the NCVEC, could be handled thusly:

The applicant would be provided an up-to-date copy of Part 97 and be required to find both the locally determined answers and their reference section within a reasonable time.

The same could be done with OET 65, Appendix B. Both are available on the Internet.

Math questions could also be locally generated, since the formulas are well known.

The answers for the three above areas would have to be validated as correct by three VE’s and should therefore be within the operating parameters of 97.507.

The elimination of retesting for the same element at the same session is a great idea and is long overdue. It was a 30 day wait under old section 12.49 (and commercial applicants needed 60 days). I would suggest that the FCC devise and sell an “Amateur Radio Test Record”. This would be about passport size and would contain laminated personal ID, including a photo. There would be room for details on the date, location, description of the element test(s) taken (i. e. ARRL 1-3-2002) and a Pass/Fail area. It would be given to the VE team at the start of the testing, then filled out by the team and returned at the end of the testing. The price, say \$25, would hopefully cover the cost to the FCC and be approximately one-sixth of the cost of a cheap “shack-on-the-belt. Given what the new licensee will probably spend in the first year, this cost is really quite small.

Regarding callsigns in Subsection VIII, I concur that the entry-level should have distinctive calls, as the old Novice did. However, these licensees should not be eligible for a Vanity call, as further impetus to upgrading, as well as instant recognition of their status. Further, since there is a movement to resurrect the Novice concept, perhaps the license should be 5 years, non-renewable (a far cry from the ‘51 original).

However, I cannot agree with the proposed upgrading in Subsection IV.

In essence, I oppose Subsection IV of this petition, primarily since it specifically flies in the face Parts 97.501 through .505

**§97.501 Qualifying for an amateur operator license.**

Each applicant ***must pass an examination*** for a new amateur operator license grant and ***for each change in operator class***. Each applicant for the class of operator license grant specified below ***must pass, or otherwise receive examination credit for*** (note: see .505) the following examination elements: [This wording is not changed in RM-10867]

- (a) Amateur Extra Class operator: Elements 1, 2, 3, and 4;
- (b) General Class operator: Elements 1, 2, and 3;
- (c) Technician Class operator: Element 2.

**§97.503 Element standards.**

(a) A telegraphy examination must be sufficient to prove that the examinee has the ability to send correctly by hand and to receive correctly by ear texts in the international Morse code at not less than the prescribed speed, using all the letters of the alphabet, numerals 0-9, period, comma, question mark, slant mark and prosigns AR, BT and SK. Element 1: 5 words per minute.

(b) A ***written examination must be such as to prove*** that the ***examinee possesses the operational and technical qualifications required to perform properly the duties*** of an amateur service licensee. Each written examination must be comprised of a question set as follows:

[This wording is not changed in RM-10867]

(1) Element 2: 35 questions concerning the privileges of a Technician Class operator license. The minimum passing score is 26 questions answered correctly.

(2) Element 3: 35 questions concerning the privileges of a General Class operator license. The minimum passing score is 26 questions answered correctly.

(3) Element 4: 50 questions concerning the privileges of an Amateur Extra Class operator license. The minimum passing score is 37 questions answered correctly.

**§97.505 Element credit.**

(a) The administering VEs must give credit as specified below to an examinee holding any of the following license grants or license documents:

(1) An unexpired (or expired but within the grace period for renewal) FCC-granted Advanced Class operator license grant: Elements 1, 2, and 3.

(2) An unexpired (or expired but within the grace period for renewal) FCC-granted General Class operator license grant: Elements 1, 2, and 3.

(3) An unexpired (or expired but within the grace period for renewal) FCC-granted Technician Plus Class operator (including a Technician Class operator license granted before February 14, 1991) license grant: Elements 1 and 2.

(4) An unexpired (or expired but within the grace period for renewal) FCC-granted Technician Class operator license grant: Element 2.

(5) An unexpired (or expired) FCC-granted Novice Class operator license grant: Element 1. NB. The RAF change (pg 32) is already in place

(6) A CSCE: Each element the CSCE indicates the examinee passed within the previous 365 days.

(7) An unexpired (or expired less than 5 years) FCC-issued commercial radiotelegraph operator license or permit: Element 1.

(8) An expired FCC-issued Technician Class operator license document granted before March 21, 1987: Element 3.

(9) An expired or unexpired FCC-issued Technician Class operator license document granted before February 14, 1991: Element 1.

***(b) No examination credit, except as herein provided, shall be allowed on the basis of holding or having held any other license grant or document.***

All above emphasizing is mine.

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I can never remember any instance of upgrading without examination as proposed in this Petition in my 49 years of being licensed. Class A's were not grandfathered into Extra with the '51 change; they were then called Advanced. Permit me to quote from the Rules and Regulations published in the ARRL 1950 License Manual (the earliest I have been able to obtain):

12.41. *When examination is required.* Examination is required for the issuance of a new amateur operator license, and for a change in class of operating privileges. Credit may be given, however, for certain elements of examination as provided in section 12.46 (**deals with previous Class A holders, upgrades from class B, and holding a commercial telegraph license.**)

So, I ask the reader-- although the wording has necessarily changed with the years, has the basic intent of the section changed? (I personally think not and I hope you will concur).

I read the old and new references cited above at our last club meeting and asked my Division Vice Director (who was present) how it could be done with the present wording. His reply was that those sections would have to be changed. Strange—there is not one word regarding this in any of the eighteen petitions that have been issued RM numbers. I believe that such a major revision would have to be handled as generally specified in Title 47, Chapter 5, Subchapter III Part 1, Section 553.

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